REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-7 are pending.

Claims 1-3 and 7 have been rejected.

Claims 4-6 are indicated to be in allowable form if rewritten in independent form.

Claims 1 and 2 are independent claims.

Claims 1, 2, 4 and 5 have been amended. Claim 4 has been cancelled without prejudice.

Claims 1-3 stand rejected under 35 USC 102(e) as being anticipated by Ikeno (USP no. 6,862,058). Claim 7 stands rejected under 35 USC 103(a) as being unpatentable over Ikeno in view of Kim (USP no. 6,570,634).

Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 4-6 and has amended independent claim 1 to include the subject matter recited in claim 4, which was indicated to not be disclosed by the prior art references. In addition, dependent claims 5 and 6 have been amended to depend from claim 1 rather than claim 4 to provide proper antecedent basis for the subject matter claimed.

In addition, independent claim 2 has been amended in a manner similar to claim 1, wherein the subject matter of claim 4 has been incorporated into claim 2.

Applicant submits that independent claims 1 and 2, and the claims dependent therefrom, are in a form consistent with the indication of allowable subject cited by the Examiner.

With regard to the rejection of the claims under 35 USC §§102, 103, applicant submits that claims 1 and 2, as amended are in a form indicated to be allowable and, hence, the reason for the rejection of the independent claims and the claims depend from independent claim 1 is no longer applicable.

For the amendments made to the claims and for the remarks made, herein, applicant submits that the reason for the rejection of the claims has been overcome and respectfully requests that the rejection be withdrawn and a Notice of Allowance be issued.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended claims 1 and 2 solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,

Michael E. Belk, Reg. No. 33357

Date: August 3, 2009

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